

REMARKS

The application has been reviewed in light of the final Office Action dated February 19, 2008. Claims 1-6 and 28-35 were pending, with unexamined, non-elected claims 7-27 having previously been canceled, without disclaimer or prejudice to applicant's right to pursue the claims in one or more divisional applications. By this Amendment, claims 1, 4 and 30 have been amended to clarify the claimed subject matter thereof, claim 4 has been amended by rewriting the claim in independent form, and new claims 36-40 have been added. Accordingly, claims 1-6 and 28-40 are now pending and presented for continued examination, with claims 1 and 4 being in independent form.

Claim 4 was objected to as having informalities therein. The Office Action indicates that claim 4 was objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By this Amendment, claim 4 has been amended to clarify the claimed subject matter thereof and has been rewritten in independent form including all of the limitations of the base claim and any intervening claims.

It is submitted that claim 4 as amended is allowable and withdrawal of the objections to claim 4 is requested.

Claim 5 was rejected under 35 U.S.C. §112, first paragraph, as purportedly failing to comply with the written description requirement.

Applicant traverses the rejection.

Claim 5 of the present application states:

5. The image forming apparatus as claimed in claim 3, wherein when the paper discharge tray is tilted upward, the paper feed tray moves in a direction

opposite to that in which paper is fed.

Support for claim 5 can be found in the original disclosure at, for example, paragraphs [0128]-[0133]. As described, for example, in paragraphs [0128]-[0129], when the back end of the paper discharge tray 3 is lifted upward a pressure release unit 92 of the paper discharge tray 3 presses down on the pressure plate 41 or the paper 42 of the paper feed tray 2, and **releases the paper feed pressure**, and as described, for example, in paragraph [0133], the lifting of the paper discharge tray 3 causes the paper feed tray 2 to be pushed *toward the user*. Such direction toward the user is clearly opposite to a direction in which paper is fed.

Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. §112.

Claims 1-3, 5, 6, 28-31 and 35 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Uchiyama (JP 2001130093) in view of McCue, Jr. et al (U.S. Patent No. 6,325,503) (“McCue”). Claims 32-34 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Uchiyama in view of McCue further in view of Ishizawa et al. (U.S. Publication No. 2002/0093556).

Applicant has carefully considered the Examiner’s comments and the cited art, and respectfully submits that independent claim 1 is patentable over the cited art, for at least the following reasons.

The present application relates to an improved configuration of an image forming apparatus, devised by applicant, allowing improved operability and maintainability.

In an aspect of the present application, such an image forming apparatus comprises a substantially flat top face including a top cover, a front face slanted such that a lower portion of the front face is closer than an upper portion of the front face to a back face of the image forming apparatus, and a paper discharge tray and a paper feed tray both disposed at a lower portion of

the front face, the paper discharge tray and paper feed tray both protruding from the lower portion of the front face in a forward direction away from the back face of the image forming apparatus, wherein a front edge portion of the top cover aligns with a top edge of the front face, and the top cover is configured to be opened by lifting the front edge portion of the top cover.

The cited art does not disclose or suggest such an image forming apparatus.

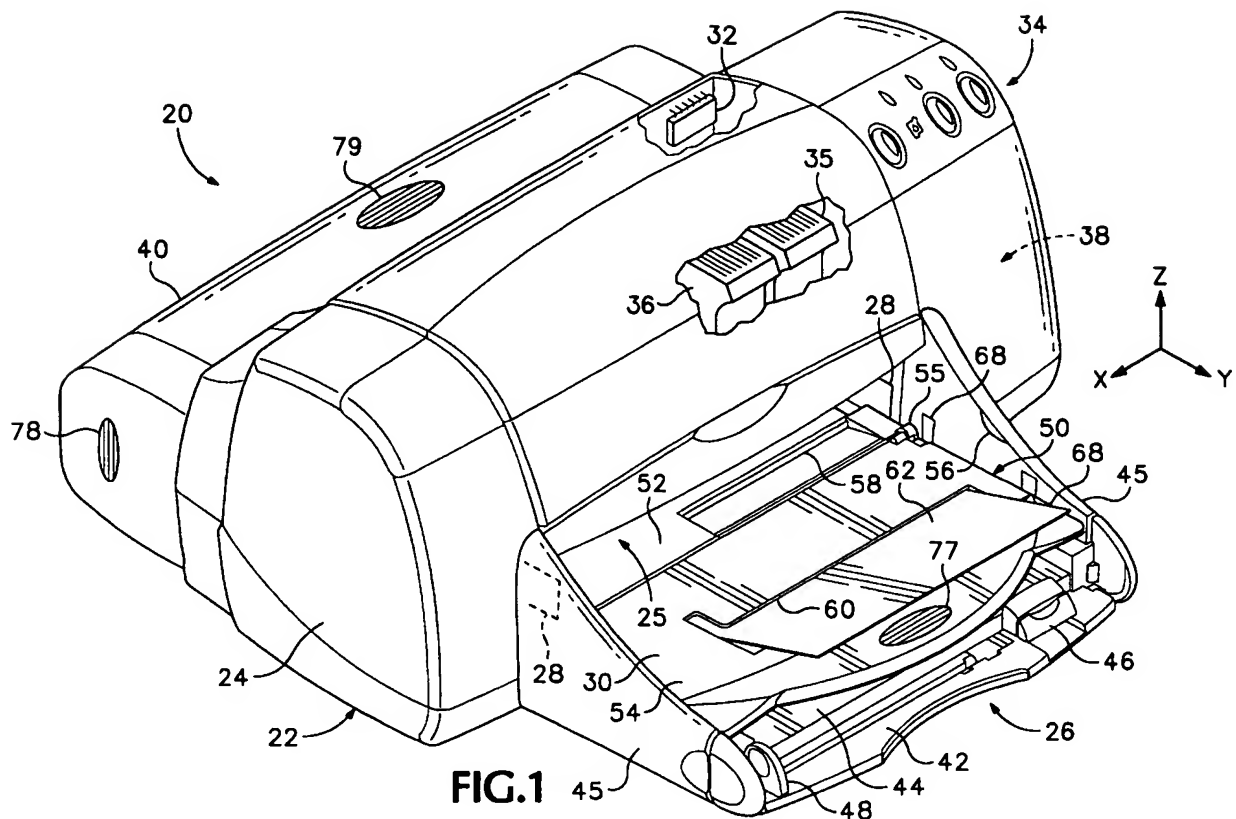
Uchiyama, as understood by applicant, proposes a desk-type printer including a flat desk face 3, legs 2 for supporting the printer, a sheet feeding part 5, a slit-shaped mouth 13 on desk face 3 and through which printed sheets are discharged and drawer 4 for holding pens and pencils. The drawer 4 can be accessed by sliding the drawer out in a forward, horizontal direction.

However, the flat desk face 3 does not include a top cover that is configured to be opened by lifting a front edge portion of the top cover.

Uchiyama simply does not disclose or suggest does not disclose or suggest an image forming apparatus comprising a top cover in a substantially flat top face of the image forming apparatus wherein a front edge portion of the top cover aligns with a top edge of the front face of the image forming apparatus, and the top cover is configured to be opened by lifting the front edge portion of the top cover, as provided by the claimed subject matter of claim 1 of the present application.

McCue, as understood by applicant, proposes an inkjet printing apparatus comprising a media input tray 42 supported between two fixed side panels 45 extending outwardly from a main body portion of the casing 24, also comprising a greeting card feeder module 30 (see McCue, column 7, lines 21-45).

Figure 1 of McCue is reproduced below:



As evident from Figure 1 of McCue, McCue, like Uchiyama, does not disclose or suggest an image forming apparatus comprising a top cover in a substantially flat top face of the image forming apparatus wherein a front edge portion of the top cover aligns with a top edge of the front face of the image forming apparatus, and the top cover is configured to be opened by lifting the front edge portion of the top cover, as provided by the claimed subject matter of claim 1 of the present application.

Ishizawa, as understood by applicant, proposes a configuration of an inkjet cartridge for an inkjet printing apparatus.

However, the cited art, even when considered along with common sense and common knowledge to one skilled in the art, simply does not render obvious an image forming apparatus comprising a top cover in a substantially flat top face of the image forming apparatus wherein a

front edge portion of the top cover aligns with a top edge of the front face of the image forming apparatus, and the top cover is configured to be opened by lifting the front edge portion of the top cover, as provided by the claimed subject matter of claim 1 of the present application.

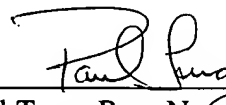
Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claim 1, and the claims depending therefrom, are patentable over the cited art.

In view of the remarks hereinabove, Applicant submits that the application is now in condition for allowance, and earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that are required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



Paul Teng, Reg. No. 40,837
Attorney for Applicant
Cooper & Dunham LLP
Tel.: (212) 278-0400